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11 JAMES JACOBS (EXEMPT FROM FEES, GOV. CODE §
12 6103)

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23 Attorneys for Plaintiff NETTA GRUTMAN

24 **UNITED STATES DISTRICT COURT**

25 **NORTHERN DISTRICT OF CALIFORNIA**

26 NETTA GRUTMAN,

27 Plaintiff,

28 v.

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, et al.,

Defendants.

CASE NO. 10-02347 JCS

**STIPULATION AND ~~PROPOSED~~ ORDER
ON DISMISSAL OF ACTION**

STIPULATION

IT IS HEREBY STIPULTED BETWEEN PLAINTIFF NETTA GRUTMAN AND
DEFENDANTS, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, TODD
MCGREGOR AND JAMES JACOBS, THROUGH THEIR RESPECTIVE COUNSEL, AS
FOLLOWS:

1. Plaintiff's first (for violation of the Americans with Disabilities Act (ADA)) and
second (for violation of the Rehabilitation Act of 1973) claims for relief shall be dismissed with
prejudice.

2. This matter shall be remanded to the Superior Court, County of San Francisco for
further proceedings.

3. All parties reserve their rights to seek the recovery of legal fees and costs at the
conclusion of this matter, except that no party shall be entitled to nor shall any party seek to
recover its costs or legal fees incurred with respect to the following: (1) defendants' removal of
this action from the State Court to the federal district court, (2) plaintiff's voluntary dismissal of
her federal claims, and (3) the remand of this matter to the State Court. No party waives its rights
to seek and recover legal fees and costs for the proceedings in federal district court, other than as
to the specific proceedings associated with the original removal and the subsequent dismissal of
the federal claims and remand of the action.

IT IS SO AGREED.

Dated: October 31, 2011

GORDON & REES LLP

By: /S/

MICHAEL D. BRUNO
JEROME SCHREIBSTEIN
Attorneys for Defendant THE REGENTS
OF THE UNIVERSITY OF CALIFORNIA,
TODD MCGREGOR and JAMES JACOBS

1 Dated: October 6, 2011

GERSTEN LAW GROUP

2 By: /S/ [Signature]
3 EHUD GERSTEN
4 Attorneys for Plaintiff

5 NETTA GRUTMAN

6 Dated: October __, 2011

7 By: /S/
8 DAVID A. STEVENS
9 Attorneys for Plaintiff
10 NETTA GRUTMAN

11 **ORDER**

12 BASED ON THE FOREGOING AND GOOD CAUSE OTHERWISE APPEARING, the
13 Court Orders that:

14 1. Plaintiff's first (for violation of the Americans with Disabilities Act (ADA)) and
15 second (for violation of the Rehabilitation Act of 1973) claims for relief are hereby dismissed
16 with prejudice.

17 2. This matter is hereby remanded to the Superior Court, County of San Francisco for
18 further proceedings.

19 3. All parties retain their rights to seek the recovery of legal fees and costs at the
20 conclusion of this matter except that no party shall be entitled to nor shall any party seek to
21 recover its costs or legal fees incurred with respect to the following: (1) defendants' removal of
22 this action from the State Court to the federal district court, (2) plaintiff's voluntary dismissal of
23 her federal claims, and (3) the remand of this matter to the State Court. No party waives its rights
24 to seek and recover legal fees and costs for the proceedings in federal district court, other than as
25 to the specific proceedings associated with the original removal and the subsequent dismissal of
26 the federal claims and remand of the action.

27 IT IS SO ORDERED.

28 Dated:

By: _____
Honorable Joseph C. Spero
United States Magistrate Judge

1 Dated: October __, 2011

GERSTEN LAW GROUP

2 By: /S/

3 EHUD GERSTEN
4 Attorneys for Plaintiff

5 NETTA GRUTMAN

6 Dated: October 5, 2011

7 By: /S/

8 DAVID A. STEVENS
9 Attorneys for Plaintiff
10 NETTA GRUTMAN

11 ORDER

12 BASED ON THE FOREGOING AND GOOD CAUSE OTHERWISE APPEARING, the
13 Court Orders that:

14 1. Plaintiff's first (for violation of the Americans with Disabilities Act (ADA)) and
15 second (for violation of the Rehabilitation Act of 1973) claims for relief are hereby dismissed
16 with prejudice.

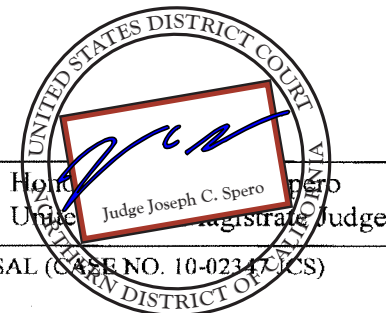
17 2. This matter is hereby remanded to the Superior Court, County of San Francisco for
18 further proceedings.

19 3. All parties retain their rights to seek the recovery of legal fees and costs at the
20 conclusion of this matter except that no party shall be entitled to nor shall any party seek to
21 recover its costs or legal fees incurred with respect to the following: (1) defendants' removal of
22 this action from the State Court to the federal district court, (2) plaintiff's voluntary dismissal of
23 her federal claims, and (3) the remand of this matter to the State Court. No party waives its rights
24 to seek and recover legal fees and costs for the proceedings in federal district court, other than as
25 to the specific proceedings associated with the original removal and the subsequent dismissal of
26 the federal claims and remand of the action.

27 IT IS SO ORDERED.

28 Dated: 11/7/11

By: _____



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